

CLARKE COUNTY BOARD OF SUPERVISORS
April 8, 2003 Continued Regular Meeting 5:00 PM
Board of Supervisors' Meeting Room

At a meeting of the Board of Supervisors of Clarke County, Virginia, held in the Board of Supervisors' Meeting Room, Second Floor of the Circuit Courthouse, 102 N. Church Street, Berryville, Virginia on Tuesday, April 8, 2003.

Present

Chairman John Staelin, Vice Chairman Shenk, Supervisor Byrd, Supervisor Dunning and Supervisor Hobert.

Also Present

Steve Hott, Rick Travers, Eleanor Smalley, Bent Farrell, Ed Breslauer, David Ash, Chuck Johnston, Tom Judge, Annette Gilley, Val Van Meter, Jerry Herrmann and other citizens and members of the press.

Call To Order

Chairman Staelin called the meeting to order at 5:02 pm.

Adoption of Agenda

Add to Miscellaneous – Philip Shenk
Add to Miscellaneous – Sanitary Authority

Supervisor Byrd moved to adopt the agenda as amended. The motion carried by the following vote:

Chairman Staelin	-	Aye
Vice Chairman Shenk	-	Aye
Supervisor Byrd	-	Aye
Supervisor Dunning	-	Aye
Supervisor Hobert	-	Aye

Acquisition of Real Property

Supervisors Dunning and Hobert met with the Town of Berryville to review the joint venture proposed during the March 18, 2003 meeting of Board of Supervisors. Supervisor Hobert provided a written report, which is included in the April 2003 file of the Board of Supervisors.

Supervisor Dunning stated there could be a possibility that the lease could be extended on the office space the County currently rents. Supervisor Dunning expressed his desire for an extension of time, which would provide the Board greater flexibility.

Vice Chairman Shenk stated the Board must have an engineering study to get cost estimates for the various options so they can make an informed decision. He recalled the manner in which Chairman Staelin resolved the Millwood Sewer problem by looking at one solution instead of trying to solve all the problems at one time. Supervisor Byrd agreed with Mr. Shenk and further agreed that the Board needs direction.

Following discussion, **Supervisor Hobert moved to decline proceeding with the option to purchase the Crow Street Properties at this time. Further to request an extension of the study period from the property owner for a period of 90 days. Finally, during this period, that a continuing study be done on all options for a long-term solution to the County's space needs.**

The motion carried by the following vote:

Chairman Staelin	-	Aye
Vice Chairman Shenk	-	Aye
Supervisor Byrd	-	Aye
Supervisor Dunning	-	Aye
Supervisor Hobert	-	Aye

Chairman Staelin requested that David Ash contact the County's attorney to inform him of the above motion.

Proposed Budget for Fiscal Year Commencing July 1, 2003 and Ending June 30, 2004

Chairman Staelin stated that he had requested Tom Judge to prepare the Fiscal Year 2004 budget in two ways and requested he distribute the version without the property purchase and without a tax increase.

The following adjustments were made and are reflected in the numbers below.

1. Recognize additional \$39,816 in personal property, PPTRA, and machinery and tools revenue based on revised estimates from the Commissioner of the Revenue.
2. Recognize additional \$40,076 in State revenue to the school operating fund after action by the Governor on funding of a salary increase for school employees of 2.25% and an increase in sales tax estimates.
3. Increase expenditure to the School Operating Fund in the amount of \$40,076 to partially offset the health insurance increase beyond the amount previously budgeted.

Without Crow Street Property renovations, the following changes are also reflected in the numbers provided.

1. Reduce Real Estate Revenue by \$214,636 and eliminate \$0.02 tax rate increase.
2. Eliminate capital project of \$450,000 for renovation of Crow Street.
3. Retain use of \$400,000 Industrial Park proceeds to offset local tax funding for capital.

These adjustments leave a budget surplus of \$2,556 for Fiscal-year 2004.

Chairman Staelin put forth there would most likely be a supplemental appropriation for Emergency Medical Services. He instructed Mr. Ash to work out the details with Gary Pope, President Clarke County Fire & Rescue Association.

Supervisor Dunning addressed the needs of the Sanitary Authority explaining they were putting in a screen at the Boyce facility for which an interest-free State grant would be available. However, would be lag time before the Sanitary Authority got the grant, which the County may have to cover until received.

Supervisor Hobert questioned Mr. Judge as to the current-year appropriation for the purchase of the Crow Street Property. Mr. Judge stated that if the property was not purchased than the appropriated funds would revert to the fund balance. Supervisor Hobert further queried whether the failure to raise taxes this year would exacerbate the problem with school

construction. Chairman Staelin opined if taxes were raised now, the additional money raised would not be available for school construction for the money would be requested for other things. Chairman Staelin also stated that he did not wish to raise taxes at a time when it was not necessary. He further expressed the opinion that government should not be in the business of purposely creating an unneeded surplus.

Budget Resolution

BE IT RESOLVED, by the Board of Supervisors of the County of Clarke, Virginia, in a meeting assembled this 8th day of April, 2003, a public hearing having been held on April 1, 2003, as required by statute, that the informative and fiscal planning budget for Clarke County for the fiscal year extending July 1, 2003 through June 30, 2004 be approved as follows:

Expenditure

	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
Board of Supervisors	47,799	48,461	51,583	66,183	51,930	347
County Administrator	223,160	190,764	195,076	175,214	174,149	(20,927)
Legal Services	35,000	35,506	35,000	35,000	35,000	-
Commissioner of Revenue	176,087	167,543	173,106	168,993	173,047	(59)
Assessor	159,043	93,037	62,252	56,582	60,254	(1,998)
Equalization Board	3,653	3,063	77	77	-	(77)
Treasurer	195,138	185,422	207,516	190,924	193,655	(13,861)
Information Technology	25,414	11,440	133,806	132,346	168,584	34,778
Electoral Board	26,633	12,382	28,503	24,464	24,197	(4,306)
General Registrar	52,489	48,312	50,089	50,036	51,427	1,338
Circuit Court	9,680	7,601	10,770	10,770	10,770	-
General District Court	4,480	5,267	10,860	10,860	6,360	(4,500)
Magistrate	1,850	725	1,000	1,000	1,000	-
J&D Court	8,830	2,737	2,930	2,930	2,930	-
Clerk of the Circuit Court	57,366	45,845	58,405	57,166	65,450	7,045
Victim/Witness Coordinator	30,000	20,543	23,163	36,072	36,113	12,950
Division of Court Services	7,500	2,838	3,500	3,500	3,500	-
Blue Ridge Legal Services	1,021	1,021	1,021	1,021	1,021	-
Commonwealth Attorney	196,017	178,165	186,481	176,427	190,289	3,808
Sheriff	921,594	907,806	974,543	933,231	975,366	823
Criminal Justice Training Center	6,180	7,277	7,300	10,300	10,500	3,200
Drug Task Force	9,000	10,715	9,000	9,000	11,500	2,500
Emergency Medical Services	130,938	126,096	148,141	141,328	154,886	6,745
Volunteer Fire Companies	177,120	180,470	188,365	188,365	173,809	(14,556)
Lord Fairfax Emergency Medical Services	4,453	4,453	4,416	4,416	4,416	-
Forestry Service						

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	2,000	1,880	1,880	1,880	1,880	-
Regional Jail	131,212	164,240	183,169	183,169	233,155	49,986
Juvenile Detention Service	54,340	54,339	15,293	15,293	36,629	21,336
Probation Office	2,002	7,772	2,010	2,010	2,010	-
Building Inspections	169,113	165,812	185,765	181,558	191,214	5,449
Animal Control	53,739	97,526	70,241	69,394	70,163	(78)
Game Warden	2,000	-	1,000	1,000	1,000	-
Medical Examiner	700	150	400	400	-	(400)
Civil Defense	6,000	1,542	5,500	-	-	(5,500)
Refuse Disposal	225,000	216,875	255,000	255,000	255,000	-
Litter Control	5,500	3,876	5,500	5,500	5,500	-
Sanitation	64,200	84,094	64,200	96,311	64,600	400
Maintenance/Buildings & Grounds	665,605	667,200	724,012	664,669	709,090	(14,922)
Local Health Department	158,248	158,248	159,965	163,924	165,000	5,035
Our Health	7,000	7,000	7,000	7,000	7,000	-
Northwestern Community Services	36,480	36,480	38,304	38,304	38,304	-
Northwestern Health Services	654	654	654	654	654	-
Concern Hotline	1,000	1,000	1,000	1,000	1,000	-
State and Local Hospitalization	4,910	2,352	4,910	4,910	4,910	-
Shenandoah Area Agency on Aging	9,500	9,500	9,500	9,500	9,500	-
Loudoun Transit Service	13,650	13,650	12,414	12,414	12,414	-
Heritage Child Care Center	6,000	6,000	3,000	3,000	-	(3,000)
Abused Women's Shelter	1,750	1,750	1,750	1,750	1,750	-
Access Independence (serves the disabled)	750	750	750	750	750	-
Disability Services Board	675	675	633	633	633	-
Lord Fairfax Community College	6,223	6,223	5,415	5,415	70,602	65,187
Tri-County OIC	1,800	-	-	-	-	-
Parks Administration	239,373	254,409	277,946	255,685	270,376	(7,570)
Recreation Center	75,282	71,036	84,932	82,925	80,346	(4,586)
Swimming Pool	74,064	58,778	77,341	70,255	64,710	(12,631)
Programs	217,958	172,693	200,962	200,738	205,939	4,977
Virginia Commission for Arts	2,000	2,000	2,000	2,000	1,000	(1,000)
Regional Library	177,601	177,601	139,177	139,177	139,177	-
Planning Administration						

	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
	305,339	322,619	284,864	273,965	287,481	2,617
Help With Housing	6,500	6,500	6,500	6,500	6,500	-
Board of Zoning Appeals	1,250	15	1,150	650	-	(1,150)
Office of Economic Development	69,478	64,341	70,864	69,468	73,278	2,414
Berryville Development Authority	4,790	2,340	3,340	3,340	3,340	-
Town of Berryville	75,000	175,000	-	-	-	-
Small Business Development Center	1,892	1,892	1,892	1,892	1,892	-
Blandy Experimental Farm	5,354	5,354	4,000	4,000	4,000	-
Planning Commission	26,310	26,339	19,060	19,060	26,663	7,603
Board of Septic Appeals	800	175	800	800	-	(800)
Historic Preservation Commission	6,200	3,819	5,400	5,400	5,400	-
NSV Regional Planning District Commission	8,575	8,575	8,826	8,826	9,459	633
Regional Airport	10,000	10,000	10,000	10,000	10,000	-
Friends of the Shenandoah	4,000	4,000	4,000	4,000	4,000	-
Lord Fairfax Soil & Water Conservation	9,000	9,000	9,000	9,000	9,000	-
Biosolids Application	-	197	-	-	-	-
Open Space Easements	-	-	75,000	75,000	75,000	-
Cooperative Extension	70,208	62,105	68,440	65,157	69,358	918
Northern Virginia 4-H Center	2,500	2,500	2,500	2,500	2,500	-
Future Farmers of America	500	500	500	500	-	(500)
Gypsy Moth	30,000	59,108	45,016	24,998	24,372	(20,644)
Non-Departmental Legal/Prof. Contingency	55,000	8,900	55,000	39,329	55,000	-
Page Brook Project	-	-	-	-	-	-
Social Services	1,047,110	1,115,158	1,354,474	1,330,845	1,312,102	(42,372)
School Operations	14,600,434	14,890,928	15,416,869	15,456,039	15,914,776	497,907
School Cafeteria	511,114	524,447	578,075	578,075	611,302	33,227
Comprehensive Services Act	631,000	633,444	699,256	899,100	800,277	101,021
Parks Programs	-	-	-	-	-	-
Drug Enforcement	-	17,208	-	-	-	-
911 Calls	157,750	260,582	212,519	212,519	208,381	(4,138)
General Capital Improvements	755,000	1,770,101	508,780	600,271	433,117	(75,663)
Parks Construction	-	-	-	-	-	-
School Capital Improvements	1,235,000	742,519	763,225	763,225	937,725	174,500
General Debt Service						

	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
	62,500	62,500	65,500	65,500	69,000	3,500
School Debt Service	1,333,675	1,334,026	1,301,162	1,301,162	1,303,390	2,228
Millwood & Waterloo Sewage Systems	1,781,101	214,208	-	-	-	-
Joint Administrative Services	366,890	352,641	362,539	357,539	366,653	4,114
Trigon	-		-	-	-	-
Unemployment Compensation	10,000	3,934	5,000	5,000	5,000	-
TOTAL EXPENDITURE	28,111,044	27,438,567	27,052,077	27,156,083	27,853,425	801,348
<i>Local Funds for Schools</i>	<i>9,372,947</i>	<i>9,406,815</i>	<i>10,016,213</i>	<i>10,055,383</i>	<i>10,232,723</i>	<i>216,510</i>
<i>Estimated Revenue Local Revenue</i>						
	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
Current Real Estate Taxes	6,948,447	7,369,317	7,479,571	7,479,571	7,729,000	249,429
Delinquent Real Estate Taxes	160,000	163,363	150,000	150,000	163,023	13,023
Land Redemptions	1,000	-	3,451	3,451	1,171	(2,281)
Land Use Rollback Tax	5,250	6,032	5,250	5,250	5,282	32
Proceeds from Delinquent Land Sale	6,500	17,384	6,559	6,559	8,692	2,134
Public Service Corporation Real Estate	299,171	333,455	407,801	407,801	301,155	(106,646)
Current Personal Property Taxes	359,188	1,659,153	1,305,951	1,305,951	1,307,572	1,621
Delinquent Personal Property Taxes	65,750	54,905	52,744	52,744	63,000	10,256
Mobile Home Taxes	2,489	1,883	2,144	2,144	1,784	(360)
Machinery and Tools Taxes	248,739	225,002	253,378	253,378	269,699	16,321
Delinquent Taxes on Machinery & Tools	2,500	-	-	-	-	-
Penalties (All Property Taxes)	92,115	105,655	95,567	95,567	96,550	983
Interest (All Property Taxes)	49,900	63,081	65,630	65,630	65,059	(571)
Administrative Costs Delinq	60	140	310	310	310	-
Sales and Use Taxes	539,900	624,972	650,000	650,000	565,000	(85,000)
Consumer's Utility Taxes	392,500	555,396	490,000	490,000	555,396	65,396
Consumption Tax	-	-	-	-	30,000	30,000
Business License Tax	15,050	19,630	20,000	20,000	20,000	-
Franchise License Tax	48,100	26,441	52,276	52,276	26,441	(25,835)
Motor Vehicle Licenses	192,325	203,551	205,000	205,000	205,000	-
Recordation Taxes	80,000	125,548	90,000	90,000	140,000	50,000
Taxes on Wills	4,775	5,819	4,300	4,300	4,300	(0)

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Other Local Taxes	-	2	-	-	-	-
Transient Occupancy Tax	4,950	9,493	12,000	12,000	9,365	(2,635)
Animal Licenses	8,850	8,678	8,822	8,822	8,448	(374)
Land Use Application Fees	1,300	7,000	7,500	7,500	27,475	19,975
Transfer Fees	565	644	594	594	611	17
Zoning and Subdivision Permits	95,000	190,476	175,000	175,000	182,857	7,857
Building Permits	175,800	228,436	200,000	200,000	200,000	-
Road Sign Fees	-	200	-	-	200	200
Sign Permits and Inspection Fees	575	310	250	250	512	262
Weapons Permits	2,200	1,540	1,225	1,225	2,013	788
Other permits, fees, and licenses	588	100	500	500	488	(13)
Court Fines and Forfeitures	72,900	61,861	65,000	65,000	65,000	-
Courthouse Security Fees	-	-	-	-	16,012	16,012
Interest on Bank Deposits	324,400	254,608	378,884	378,884	170,000	(208,884)
Rental of Property	60,804	70,969	69,592	69,592	90,469	20,877
Sheriff's Fees	850	796	800	800	854	54
Commonwealth's Attorney Fees	300	385	297	297	341	44
Court Appointed Attorney	150	-	136	136	136	-
Jail Processing Fee		-		-	8,613	8,613
Jail Time Nonconsecutive	-	-	-	-	61	61
Emergency Medical Service - Berryville	31,000	31,000	38,950	38,950	38,950	-
EMS Fees for Service	-	-	20,000	20,000	-	(20,000)
Recycling Rebate	18,000	19,041	19,041	19,041	25,855	6,814
Recreation Center Fees	30,750	35,733	33,785	33,785	31,604	(2,181)
Swimming Pool Fees	66,250	79,171	79,175	79,175	74,461	(4,714)
Parks Programs Fees	201,500	220,677	250,000	250,000	204,673	(45,327)
Sale of Maps, Surveys, etc.	575	30	100	100	127	27
Sale of Publications	700	720	626	626	626	-
Engineer's Fees	-	-	-	-	2,027	2,027
Biosolids Application Fees	-	4,500	-	-	2,250	2,250
Gas Tax & Other Refunds	33,500	35,727	35,228	35,228	42,164	6,935
Gifts & Donations in Lieu of Taxes	-	2,500	-	-	2,500	2,500
Sale of Salvage & Surplus Property	-	6,066	4,119	4,119	3,033	(1,086)

	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
Sale of Vehicles	-	-	2,088	2,088	2,088	-
Insurance Adjustments	-	-	3,094	3,094	3,094	-
Miscellaneous Revenue	19,000	20,829	45,001	45,001	25,000	(20,001)
Miscellaneous Revenue from Social Services	-	136	-	-	-	-
Loan Repayment	-	-	-	32,111	100,000	100,000
Cancelled Checks	-	-	-	-	-	-
Insurance Recovery	-	6,432	-	-	17,115	17,115
Regional Jail Reimbursement	-	-	-	-	-	-
Welfare	-	16,387	-	-	-	-
School Operations	153,100	311,055	163,400	163,400	221,188	57,788
School Cafeteria	385,314	387,856	453,075	453,075	473,302	20,227
Parks Programs	-	-	-	-	-	-
Drug Enforcement	-	1,845	-	-	-	-
911 Call Fees	190,000	177,890	220,000	220,000	198,264	(21,736)
Central Alarm - Berryville	2,000	-	2,000	2,000	2,000	-
Wireless E-911	34,737	113,842	34,248	34,248	34,032	(216)
911 Signs	-	854	1,000	1,000	1,000	-
General Capital Projects	200,000	59,491	145,000	145,000	220,000	75,000
School Capital Projects Proffers	-	12,241	-	-	-	-
School Bond Construction Fund	500,000	56,698	-	-	250,000	250,000
Parks Construction Fund	-	2,109	-	-	-	-
General Debt Service		1,607	-	-	-	-
School Debt Service	148,571	148,430	148,571	148,571	148,571	-
Millwood & Waterloo Sewerage Systems	1,781,101	10,000	-	-	-	-
Trigon Demutualization	-	3,562	-	-	-	-
TOTAL LOCAL REVENUE	14,059,089	14,162,649	13,959,029	13,991,140	14,465,805	506,777
<i>Revenue From The Commonwealth Of Virginia</i>						
	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
ABC Profits	23,000	25,163	22,364	22,364	19,990	(2,375)
Motor Vehicles Carrier's Taxes	20,950	19,994	22,000	22,000	21,285	(715)
Mobile Home Titling Tax	-	-	-	-	3,122	3,122
Tax on Deeds (Grantor's Tax)	120,000	129,031	100,000	100,000	129,000	29,000
Circuit Clerk Excess Fees		-				

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	-		-	-	22,000	22,000
Other Non-Categorical Aid	-	75	-	-	860	860
Quarterly Rental Tax	3,050	3,253	2,754	2,754	2,754	-
Personal Property Tax Relief	3,232,692	2,013,804	2,592,410	2,592,410	2,595,627	3,217
Cash Surety Bonds	-	-	-	-	-	-
Commonwealth's Attorney	185,245	177,798	170,581	170,581	152,606	(17,975)
Sheriff	695,180	656,084	673,576	673,576	632,560	(41,016)
Commissioner of Revenue	93,500	67,846	88,834	88,834	73,136	(15,698)
Treasurer	97,894	92,934	99,246	99,246	78,545	(20,701)
Medical Examiner	150	60	150	150	120	(30)
Registrar	38,397	40,626	38,397	38,397	35,210	(3,187)
Clerk of the Circuit Court	4,000	3,262	3,705	3,705	3,329	(376)
CJS Grants for Law Enforcement	-	14,526	2,500	39,991	23,821	21,321
Emergency Services Grants	-	6,044	5,500	5,500	5,088	(412)
Juvenile & Domestic Relations	-	-	-	-	-	-
Litter Control	2,750	5,143	5,500	5,500	5,143	(357)
Other Categorical Aid	-	538	-	-	769	769
Fire Programs Fund	16,000	36,783	18,245	18,245	18,245	-
Virginia Commission for the Arts	1,000	-	1,000	1,000	-	(1,000)
Gypsy Moth Control	-	2,814	-	-	2,814	2,814
Division of Historic Landmarks	-	-	-	-	-	-
Welfare	752,551	839,936	1,073,566	1,073,566	1,011,608	(61,958)
School Operations	5,878,904	5,705,017	5,946,584	5,946,584	6,073,685	127,101
School Cafeteria	10,800	10,572	10,000	10,000	11,000	1,000
Comprehensive Services Act	296,982	185,829	350,816	450,632	399,214	48,398
Drug Enforcement Grant	-	2,690	-	-	-	-
General Capital Projects	-	73,091	-	-	-	-
School Capital Projects	303,383	291,203	277,008	277,008	277,008	-
School Debt Service	241,959	241,758	120,780	120,780	120,416	(364)
TOTAL COMMONWEALTH REVENUE	12,018,387	10,645,876	11,625,516	11,762,823	11,718,955	93,439
<i>Federal Revenue</i>						
	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
Payment in Lieu of Taxes	2,450	4,600	1,500	1,500	4,398	2,898

	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
Crime Victims Assistance	30,000	20,429	23,190	36,140	36,113	12,923
Multi Agency Federal Task Force	-	6,678	6,410	6,410	6,410	-
Emergency Management Assistance	-	-	-	-	-	-
Local Law Enforcement Block Grant	-	-	-	-	-	-
Page Brook Watershed	-	1,033	-	-	-	-
Public Assistance and Welfare Admin	-	-	-	-	-	-
School Operations	570,245	806,379	808,700	808,700	832,300	23,600
School Cafeteria	115,000	126,138	115,000	115,000	127,000	12,000
TOTAL FEDERAL REVENUE	717,695	965,257	954,800	967,750	1,006,221	51,421

Budget Balance Procedure

	<i>FY 02 Original Budget</i>	<i>FY 02 Audited Actual</i>	<i>FY 03 Adopted Budget</i>	<i>FY 03 Revised Budget</i>	<i>FY 04 Proposed Budget</i>	<i>Variance 04-03 Adopted</i>
TOTAL EXPENDITURES	28,111,044	27,438,567	27,052,077	27,156,083	27,853,425	801,348
TOTAL REVENUE	26,795,171	25,773,782	26,539,345	26,721,713	27,190,981	651,636
SURPLUS (DEFICIT)	(1,315,873)	(1,664,785)	(512,732)	(434,370)	(662,444)	(149,712)
FROM FUND BALANCE	1,315,873	1,664,785	512,732	434,370	662,444	149,712
NET	-	-	-	-	-	-

Supervisor Dunning moved to accept the budget resolution as presented without the proposed tax increase.

The motion was approved by the following vote:

Chairman Staelin	-	Aye
Vice Chairman Shenk	-	Aye
Supervisor Byrd	-	Aye
Supervisor Dunning	-	Aye
Supervisor Hobert	-	Aye

Tax Rate Resolution

BE IT RESOLVED, by the Board of Supervisors of the County of Clarke, Virginia in meeting assembled this 8th day of April, 2003, a public hearing having been held on April 1, 2003, as required by statute, that the tax rates for calendar year 2003, to support the budget for Clarke County for the fiscal year July 1, 2003 through June 30, 2004, be and hereby are fixed at:

ALL TAX RATES ARE BASED ON EACH \$100 OF ASSESSED VALUATION

	<u>2003</u>
1. Real Estate, including the real estate of public service corporations**	\$ 0.74
2. Tangible personal property except machinery and tools and qualified Fire and Rescue Vehicles	\$ 4.00
3. Tangible Machinery and tools	\$ 1.25
4. Tangible personal property of qualified Fire & Rescue Vehicles	\$ 2.00

** Mobile Homes will be assessed as personal property, but taxed at the same rate as real estate.

Supervisor Dunning moved to approve the Tax Rate Resolution.

The motion was approved by the following vote:

Chairman Staelin	-	Aye
Vice Chairman Shenk	-	Aye
Supervisor Byrd	-	Aye
Supervisor Dunning	-	Aye
Supervisor Hobert	-	Aye

Appropriations Resolutions

1. **BE IT RESOLVED**, by the Board of Supervisors of the County of Clarke, Virginia, that the following appropriations are hereby made for the period of July 1, 2003 through June 30, 2004, for the functions and purposes indicated:

General Fund

To be expended only on order of the Board of Supervisors:

Direct Revenue to the General Fund	\$ 5,891,702
Total Appropriation	\$ 5,891,702

Social Services Fund

To be expended only on order of the Board of Social Services:

Direct Revenue to Social Services Fund	\$ 1,011,608
Transfer from General Fund	\$ 300,494
Total Appropriation	\$1,312,102

School Operating Fund

To be expended only on order of the School Board:

Direct Revenue to School Operating Fund	\$ 7,127,173
Transfer from General Fund	\$8,787,603
Total Appropriation	\$15,914,776

Comprehensive Services Fund

To be expended only on order of the Comprehensive Services Board:

Direct Revenue to Comprehensive Services Fund	\$ 399,214
Transfer from General Fund	\$401,063
Total Appropriation	\$800,277

911 Fund

To be expended only on order of the Board of Supervisors:

<i>Direct Revenue to 911 Fund</i>	\$208,381
<i>Total Appropriation</i>	\$208,381

General Capital Projects Fund

For projects under General Government Capital Projects Budget to be added to continuing appropriations in the General Government Capital Projects Fund and to be expended only on order of the Board of Supervisors:

Direct Revenue to General Capital Projects Fund \$220,000

<i>Transfer from General Fund</i>	\$213,117
<i>Total Appropriation</i>	\$433,117

School Capital Projects Fund

For projects under the School Capital Projects Budget to be added to continuing appropriations in the School Capital Projects Fund and to be expended only on order of the School Board:

<i>Direct Revenue to the School Capital Projects Fund</i>	\$527,008
<i>Transfer from General Fund</i>	\$410,717
<i>Total Appropriation</i>	\$937,725

School Debt Service Fund

To be expended only on order of the Board of Supervisors or School Board:

<i>Direct Revenue to the School Debt Service Fund</i>	\$268,987
<i>Transfer from General Fund</i>	\$1,034,403
<i>Total Appropriation</i>	\$1,303,390

Government Debt Service Fund

To be expended only on order of the Board of Supervisors:

<i>Transfer from General Fund</i>	\$69,000
<i>Total Appropriation</i>	\$69,000

Joint Administrative Services Fund

To be expended only on order of the Joint Administrative Services Board:

<i>Transfer from General Fund</i>	\$366,653
<i>Total Appropriation</i>	\$366,653

Unemployment Compensation Fund

To be expended only on order of the Board of Supervisors or School Board:

Transfer from General Fund	\$5,000
Total Appropriation	\$5,000

Teste:

David L. Ash, County Administrator

2. **BE IT RESOLVED**, by the Board of Supervisors of the County of Clarke, Virginia, that the Treasurer of Clarke County, Virginia is hereby authorized to honor Cafeteria warrants drawn by the School Board of Clarke County for the fiscal year 2003-2004 to the extent of the balance in such Cafeteria Fund as of 30, June, 2003, plus such receipts as may be deposited during the Fiscal Year 2003-2004.

Teste:

David L. Ash, County Administrator

3. **BE IT RESOLVED**, by the Board of Supervisors of the County of Clarke, Virginia, that the Treasurer of Clarke County, Virginia, be and hereby is authorized to honor Drug Enforcement Fund warrants drawn by the County of Clarke for the Fiscal Year 2003-2004 to the extent of the balance in such Drug Enforcement Fund as of 30, June, 2003, plus such receipts as may be deposited during the Fiscal Year 2003-2004.

Teste:

David L. Ash, County Administrator

4. **BE IT RESOLVED**, by the Board of Supervisors of the County of Clarke, Virginia, that the Treasurer of Clarke County, Virginia, be and hereby is authorized to honor Sanitation Fund warrants drawn by the County of Clarke for the Fiscal Year 2003-2004 to the extent of the balance in such Sanitation Fund as of 30, June, 2003, plus such receipts as may be deposited during the Fiscal Year 2003-2004.

Teste:

David L. Ash, County Administrator

Supervisor Dunning moved that the Appropriations Resolutions be and hereby are made for the period of July 1, 2003 through June 30, 2004 for the functions and purposes indicated.

The motion was approved by the following vote:

Chairman Staelin	-	Aye
Vice Chairman Shenk	-	Aye
Supervisor Byrd	-	Aye
Supervisor Dunning	-	Aye
Supervisor Hobert	-	Aye

Clarke County Explosives Ordinance

Charles Johnston, Planning Administrator, provided a brief overview of the efforts to date and presented the proposed ordinance.

Chairman Staelin asked if any other affected property owners were present and invited them to speak.

Steve Hott, Mayor for the Town of Boyce, was present at the meeting. Mr. Hott stated he supported the proposed ordinance; and like John Staelin, he would like to see a county-wide ordinance to protect water resources as well.

Chairman Staelin stated that although it was the Board's intention to start by creating a special protected area for Prospect Hills the long-term goal was to create a county-wide ordinance to protect wells and other water resources from the potentially negative impact of explosive discharges. Upon consensus of the Board, Chairman Staelin requested that Mr. Ash and Mr. Johnston look at the issue with the aid of a consultant to get direction on development of a county-wide ordinance.

AN AMENDMENT TO THE CODE OF CLARKE COUNTY 8 APRIL 03

EXPLOSIVES

1. Purpose

Prospect Hill Spring is the public water source for the Town of Boyce and the communities of Millwood, Waterloo, and White Post. Use of explosives is hereby limited within the area of Prospect Hill Spring so as to protect the quality and quantity of spring water.

2. Definition

For the purpose of this ordinance "explosive" shall be as defined in §59.1-137, Code of Virginia.

3. Prohibited Area

Use of explosives is prohibited within the Spring Conservation Overlay District as described in section 3-E-2 of the Clarke County Zoning Ordinance.

4. Limited Area

Within the area described below and outside the Spring Conservation Overlay District, the use of explosives is allowed after submission and approval by the Clarke County Board of Supervisors (the Board) of a Blasting Plan that addresses the potential impact of the proposed blasting activity on the geology within this area:

Beginning at the intersection of Virginia Route 620 and the Norfolk Southern Railroad right of way near the intersection of Virginia Route 620 with US Route 340; thence southwest along the south boundary of the Norfolk Southern Railroad right of way to Virginia Route 723; thence southeast along the northeast boundary of Virginia Route 723 to the intersection of Route 723 with the southeast boundary of present Tax Parcel 29-A-16A; thence northeast along the southeast boundary of Tax Parcel 29-A-16A to its eastern corner; thence in a straight line from the east corner of Parcel 29-A-16A to the corner of the intersection of the boundaries of present Tax parcel 30-A-1B and present Tax Parcel 30-A-7; thence northeast along the common boundary of Parcels 30-A-1B and 30-A-7 to Virginia Route 620; thence north along the west boundary of Virginia Route 620 to the point of beginning.

5. Blasting Plan

The Blasting Plan shall include the following elements:

- a. Demonstration that the proposed improvements, including construction of buildings, earthwork operations, road construction, utility installation, and storm drainage/storm water management facilities, for which blasting is to occur are located and designed so as to

- require the least intensive degree of blasting necessary and that it is necessary to remove the rock rather than relocating development improvements, changing elevations, etc.;
- b. Geotechnical investigation evaluating the impact of the proposed blasting on the quantity and quality of groundwater recharging Prospect Hill Spring. The investigation shall include electrical resistivity and/or seismic refraction testing to show the limits, hardness and characteristics of rock, location of voids, groundwater levels, etc. Test pit evaluation where improvements are planned may be required by the Board after its initial review and approval;
 - c. A program for a pre-blast survey of existing water quality and quantity of Prospect Hill Spring and public utilities within the area defined in section 4 above;
 - d. A blasting schedule identifying the location, size, and time period of blasting activities;
 - e. A statement indicating that:
 - i) all blasting shall be done by licensed blasters and the contractor shall conform to all federal, state, and local laws and regulation regarding transportation, storage, and use of explosives; and
 - ii) the contractor shall be fully responsible and liable for all damage incurred to publicly owned facilities as a result of the contractor's use of explosives and blasting operations regardless of whether or not the contractor had complied with such federal, state, or local laws and regulations.
 - f. A monitoring plan conducted by a independent third party,
 - g. Blasting work shall be performed in the presence of a licensed blaster;
 - h. Other requirements that in the opinion of the Board ensures protection of Prospect Hill Spring.

6. Insurance

The contractor shall take out and maintain, during the period of blasting operations plus 30 days, special liability and property damage insurance for all personal and property damage incurred as a result of the contractor's use of explosives and blasting operations. The Board shall approve the coverage and amount of such insurance. No explosives shall be delivered to the site until proof of such insurance coverage is delivered to the Board. If the coverage or amount of insurance is not deemed sufficient, a special bond covering the blasting operations may be required by the Board and the bond's costs shall be paid by the contractor.

7. Notice

All governmental agencies as required by law, including the Board, shall be notified before the period of blasting commences.

8. Review Costs

The Contractor shall pay the County's costs for professional consultant review of the Blasting Plan.

Supervisor Dunning moved to adopt the Explosives ordinance.

The motion was approved by the following vote:

Chairman Staelin	-	Aye
Vice Chairman Shenk	-	Aye
Supervisor Byrd	-	Aye
Supervisor Dunning	-	Aye
Supervisor Hobert	-	Aye

Miscellaneous:

Resignation of Vice Chairman Philip Shenk

Vice Chairman Shenk presented to Chairman Staelin a written notice of his intent to resign from the Board of Supervisors effective April 30, 2003. Mr. Shenk stated it had mostly been a pleasure to serve Clarke County as a Supervisor. He sited changes in his life that

prevented him from donating as much time as he felt necessary to fulfill the duties of his office.

Supervisor Dunning stated that he had served with Mr. Shenk during his entire term and he was a bastion of common sense. He opined further that Mr. Shenk had done a tremendous job for the agricultural community and a leveling influence on the Board. Mr. Dunning went on to say that he wished Mr. Shenk great success.

Supervisor Hobert put forth that Mr. Shenk had brought balance to the Board. He further recalled that Mr. Shenk's family has been serving the community for years and he would be missed.

Supervisor Byrd commented that the children involved with the Cooperative Extension 4H programs would miss Mr. Shenk. She commended him on his service to the County.

Chairman Staelin agreed that Mr. Shenk would be missed. However, he disagreed with him that he was not fulfilling his duties. He opined that Mr. Shenk has served his district well. Mr. Staelin stated that he [Philip] had done his fair share over the years. He also noted that Mr. Shenk was always concise, well prepared, and asked questions.

Chairman Staelin requested David Ash to run an advertisement requesting letters of interest from citizens in Mr. Shenk's district to fill the vacancy with a deadline for responses of Monday, April 28, 2003. A meeting to review the letters of interest and possibly select an individual to fill the vacancy was set for 7:30 pm on Thursday, May 1, 2003.

Heavy Trucks on Secondary Roads

Supervisor Dunning observed that large trucks transporting rock to the landfill were causing damage to local secondary roads. He understands that the Landfill will be bringing up to 50,000 tons of rock for the catch basin. The rock is being transported from a quarry in Leesburg. These heavy trucks are cutting up Salem Church Road, Senseny Road and have destroyed the road to the Landfill. Mr. Dunning stated that he was told by the Department of Transportation there were no laws against this activity.

Chairman Staelin requested that Mr. Ash talk to the vendors and the Landfill to see if there was anything that could be done to keep these trucks on the primary roads. Mr. Ash stated that he had spoken with the Landfill; and they informed him that they had contracted with the quarry, which had in turn contracted the work to several vendors.

Summary of Required Action

- | | | |
|----|--|----------------------------|
| 1. | Contact the Robert Mitchell and convey to him the Board's decision regarding the Crow Street Property. | David Ash |
| 2. | Work with Gary Pope on a supplemental appropriation for Emergency Medical Services. | David Ash |
| 3. | Work with a consultant to develop a County-wide ordinance to protect wells and other water resources from the potentially negative impact of explosives. | David Ash & Chuck Johnston |
| 4. | Place advertisement in the paper requesting letters of interest from residents in the Buckmarsh district to fill the vacancy created on the Board of Supervisors by the resignation of Philip Shenk. | David Ash |
| 5. | Place May 1, 2003 meeting on the County calendar for the purpose of reviewing letters of interest and possibly selecting an individual to fill the vacancy. | David Ash |
| 6. | Contact the Landfill to request that heavy trucks transporting rock to the Landfill use the primary roads wherever possible. | David Ash |

Next Meeting:

The next meeting of the Board of Supervisors is set for April 15, 2003 at 9:00 a.m. in the Board of Supervisors Meeting Room, Second Floor of the Circuit Courthouse, 102 North Church Street, Berryville, Virginia.

Adjournment:

There being no further business to be brought before the Board the Chairman adjourned the public hearing at 6:27 pm.

ATTEST: April 15, 2003

John Staelin, Chairman

David L. Ash, County Administrator